









1653 #7 Don't

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re Application of: | |) : Examiner: Not Yet Assigned | |
|-----------------------------|-------------------|--------------------------------|-----------------------|
| KENNETH JACOBS ET AL. | |) : Group Art Unit: 1653 | |
| Application No.: 10/041,016 | | | Croup rais commercial |
| Filed: January 7, 2002 | |) | |
| For: | SECRETED PROTEINS |) | May 19, 2003 |

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

DECLARATION OF EXPRESS ABANDONMENT UNDER 37 C.F.R. § 1.138

Sir:

Applicants in the above-identified patent application, through their undersigned attorney, hereby expressly abandon that application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

Attorney for Applicants
Lawrence S. Perry

Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO 30 Rockefeller Plaza New York, New York 10112-3801 Facsimile: (212) 218-2200

NY_MAIN 350245v1